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OCT 22 2002

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

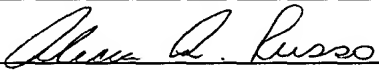
Total Number of Pages in This Submission 32

Application Number	09/554,024
Filing Date	October 16, 2000
First Named Inventor	Freyssinet et al.
Group Art Unit	1638
Examiner Name	Ibrahim, Medina A.
Attorney Docket Number	A33207-PCT-USA 072667.0132


ENCLOSURES (check all that apply)

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input checked="" type="checkbox"/> Fee Attached
<input checked="" type="checkbox"/> Amendment / Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)
<input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Return Postcard |
|---|---|--|

Remarks ☐**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	BakerBotts LLP 30 Rockefeller Plaza New York, NY 10112	
Signature		Att Name: Alicia A. Russo PTO Reg: 46,192
Date	October 10, 2002	

CERTIFICATE OF MAILINGI hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: October 10, 2002

Typed or printed name	Alicia A. Russo	
Signature		Date: October 10, 2002



BAKER BOTTS LLP

Attorney Docket Number: A33207-PCT-USA 072667.0132

Title:

GENE CODING FOR THANATIN, VECTOR CONTAINING SAME, AND RESULTING TRANSFORMED
DISEASE-RESISTANT PLANTS

Use Space Below for Additional Information:

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$)**336**

Complete if Known

Application Number	09/554,024
Filing Date	October 16, 2000
First Named Inventor	Freyssinet et al.
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Attorney Docket No.	A33207-PCT-USA 072667.0132

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **02-4377**
Deposit Account Name **Baker Botts LLP**

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
740	370	Utility filing fee	
330	165	Design filing fee	
510	255	Plant filing fee	
740	370	Reissue filing fee	
160	80	Provisional filing fee	

SUBTOTAL (1) (\$)**0**

2. EXTRA CLAIM FEES

Total Claims **29** - 30** = **0** x **18** = **0**
Independent Claims **7** - 3** = **4** x **84** = **336**
Multiple Dependent Claims **0** = **0**

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description
18	9	Claims in excess of 20
84	42	Independent claims in excess of 3
280	140	Multiple dependent claim, if not paid
84	42	** Reissue independent claims over original patent
18	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**336**

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	For filing a request for ex parte reexamination	
920*	920*	Requesting publication of SIR prior to Examiner action	
1,840*	1,840*	Requesting publication of SIR after Examiner action	
110	55	Extension for reply within first month	
400	200	Extension for reply within second month	
920	460	Extension for reply within third month	
1,440	720	Extension for reply within fourth month	
1,960	980	Extension for reply within fifth month	
320	160	Notice of Appeal	
320	160	Filing a brief in support of an appeal	
280	140	Request for oral hearing	
1,510	1,510	Petition to institute a public use proceeding	
110	55	Petition to revive - unavoidable	
1,280	640	Petition to revive - unintentional	
1,280	640	Utility issue fee (or reissue)	
460	230	Design issue fee	
620	310	Plant issue fee	
130	130	Petitions to the Commissioner	
50	50	Processing fee under 37 CFR 1.17(q)	
180	180	Submission of Information Disclosure Stmt	
40	40	Recording each patent assignment per property (times number of properties)	
740	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
740	370	For each additional invention to be examined (37 CFR § 1.129(b))	
740	370	Request for Continued Examination (RCE)	
900	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**0**

SUBMITTED BY

Name (Print/Type) **Alicia A. Russo**

Registration No. (Attorney/Agent) **46,192**

Complete (if applicable)

Telephone **(212) 408-2500**

Signature

Alicia A. Russo

Date

October 10, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



A33207-PCT-USA 072667.0132

PATENT

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Applicant : Freyssinet et al.

Serial No. : 09/554,024 Examiner : Ibrahim, Medina A.

Filed : October 16, 2000 Group Art Unit : 1638

For : GENE CODING FOR THANATIN, VECTOR CONTAINING SAME,
AND RESULTING TRANSFORMED DISEASE-RESISTANT PLANTS

AMENDMENT

I hereby certify that this paper is being deposited with
the United States Postal Service as first class mail in an
envelope addressed to: Assistant Commissioner for Patents,
Washington, D.C. 20231

October 10, 2002

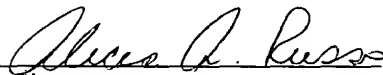
Date of Deposit

Alicia A. Russo

Attorney Name

46,192

PTO Registration No.


SignatureOctober 10, 2002

Date of Signature

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This paper is being filed in response to the Office Action dated July 10, 2002.

Applicants respectfully request reconsideration of the above-identified application in light of the
amendments and remarks presented in the instant Amendment.

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